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RESPONSE UNDER

37 C.F.R. § 1.116

EXPEDITED PROCEDURE

EXAMINING GROUP 1644

PATENT

1614-0251P

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TECHNOLOGY CENTER R3700

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Rudolf VALENTA et al. Conf.: 5581

Appl. No.: 09/897,042 Group: 1644

Filed: July 3, 2001 Examiner: P. NOLAN

For: NON-ANAPHYLACTIC FORMS OF ALLERGENS AND
THEIR USE

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NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents
Washington, DC 20231

January 29, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated July 29, 2002 of the Primary Examiner finally rejecting claims 1-6, 21 and 22.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on December 30, 2002. Thus a fee of \$530.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

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01 FC:1253
02 FC:1401

530.00 OP
320.00 OP

Appl. No. 09/897,042

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$320.00

Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$850.00.

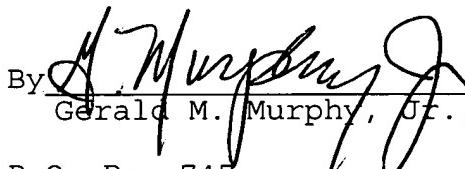
Payment of the above TOTAL FEE is being made in the following manner:

- Check(s) in the amount of \$530.00 and \$320.00 is/are enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
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GMM/KLR:gml
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(Rev. 02/20/02)